

AMENDED IN SENATE AUGUST 31, 2007

AMENDED IN ASSEMBLY APRIL 18, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1492

**Introduced by Assembly Member Laird
(Coauthor: Assembly Member Beall)**

February 23, 2007

An act to add Section ~~21810~~ 24617 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1492, as amended, Laird. Vehicles: transit buses: right-of-way.

~~(1) Existing~~

Existing law requires a driver to yield the right-of-way to an approaching authorized emergency vehicle that is sounding a siren and has at least one lighted lamp exhibiting a red light.

This bill would, in the Santa Cruz Metropolitan Transit District and the Santa Clara County Transit District Valley Transportation Authority, if the applicable district approves a resolution and transmits that resolution to the Commissioner of the California Highway Patrol, require the driver of a vehicle overtaking, authorize a transit bus to yield the right-of-way to the bus if certain conditions are present *be equipped with a specified yield right-of-way sign on the left rear of the bus*. The bill would require a *participating* transit agency ~~participating in the program~~ to undertake a public education program to ~~inform~~ *encourage* motorists of the yield right-of-way requirements, and provide that a base fine for violating those requirements is \$35. Because a failure to

yield would be an infraction, the bill would impose a state-mandated local program to yield to a transit bus when the sign is activated.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 21810 is added to the Vehicle Code, to~~
2 ~~read:~~

3 ~~21810. (a) The driver of a vehicle overtaking a transit bus shall~~
4 ~~yield the right-of-way to the bus if all of the following conditions~~
5 ~~are present:~~

6 ~~(1) The transit bus has entirely exited an active traffic lane to~~
7 ~~board or deboard passengers at a designated bus stop, and is~~
8 ~~attempting to reenter the lane from which it exited.~~

9 ~~(2) Directional signals on the transit bus are flashing to indicate~~
10 ~~that the bus is preparing to merge with traffic.~~

11 ~~(3) The transit bus is~~

12 ~~SECTION 1. Section 24617 is added to the Vehicle Code, to~~
13 ~~read:~~

14 ~~24617. (a) A transit bus may be authorized to be equipped~~
15 ~~with a yield right-of-way sign on the left rear of the bus. The yield~~
16 ~~right-of-way sign may flash simultaneously with the rear turn~~
17 ~~signal lamps, but is not required to do so. The sign shall be both~~
18 ~~of the following:~~

19 ~~(A)~~

20 ~~(1) Designed to warn a person operating a motor vehicle~~
21 ~~approaching the rear of the bus that the person is required to yield~~
22 ~~the right-of-way to the bus when the bus is entering traffic.~~

23 ~~(B)~~

24 ~~(2) Illuminated by a red flashing light when the bus is signaling~~
25 ~~in preparation for entering a traffic lane after having stopped to~~
26 ~~receive or discharge passengers.~~

1 (b) Nothing in this section requires a transit agency to install
2 the yield right-of-way sign described in ~~paragraph (3) of~~
3 subdivision (a).

4 (c) This section does not relieve the driver of a transit bus from
5 the duty to drive the bus with due regard for the safety of all
6 persons and property. ~~Nothing in this section relieves the transit~~
7 ~~agency from complying with the standard of care for its passengers~~
8 ~~established by Section 2100 of the Civil Code. This section does~~
9 ~~not exempt the driver of a transit bus from the requirements of~~
10 ~~Section 21804.~~

11 (d) This section applies only to the Santa Cruz Metropolitan
12 Transit District and the Santa Clara ~~County Transit District Valley~~
13 ~~Transportation Authority~~, if the governing board of the applicable
14 district approves a resolution, after a public hearing on the issue,
15 requesting that this section be made applicable to it, ~~and transmits~~
16 ~~a copy of the resolution to the commissioner.~~

17 ~~(e) Each transit agency participating in the program shall~~
18 ~~undertake a public education program to inform motorists of the~~
19 ~~requirements imposed by this section.~~

20 ~~(f) The base fine for a violation of subdivision (a) is thirty-five~~
21 ~~dollars (\$35).~~

22 ~~(e) Each participating transit agency shall undertake a public~~
23 ~~education program to encourage motorists to yield to a transit bus~~
24 ~~when the sign specified in subdivision (a) is activated.~~

25 SEC. 2. The Legislature finds and declares that a special law
26 is necessary and that a general law cannot be made applicable
27 within the meaning of Section 16 of Article IV of the California
28 Constitution because of unique circumstances of community
29 familiarity with the program in Section 1, applicable only to the
30 Santa Cruz Metropolitan Transit District and the Santa Clara
31 County Transit District.

32 ~~SEC. 3. No reimbursement is required by this act pursuant to~~
33 ~~Section 6 of Article XIII B of the California Constitution because~~
34 ~~the only costs that may be incurred by a local agency or school~~
35 ~~district will be incurred because this act creates a new crime or~~
36 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
37 ~~for a crime or infraction, within the meaning of Section 17556 of~~
38 ~~the Government Code, or changes the definition of a crime within~~

- 1 ~~the meaning of Section 6 of Article XIII B of the California~~
- 2 ~~Constitution.~~

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